

# **WASHINGTON STATE DEPARTMENT OF HEALTH OCCUPATIONAL THERAPY PRACTICE BOARD PUBLIC MEETING / RULES WORKSHOP MINUTES**

October 1, 2004 9:00 AM

Business Meeting

Quality Inn-Ocean Shores, 773 Oceanshores Blvd NW, Ocean Shores, WA 98569

October 1, 2004 3:15 PM

Rules Workshop

Ocean Shores Convention Center, 120 West Chance A LA MER Ave, Ocean Shores, WA 98569

On October 1, 2004, the Occupational Therapy Practice Board met at the Quality Inn Ocean Shores, 773 Oceanshores Blvd NW, Ocean Shores, Washington and at the Ocean Shores Convention Center, 120 West Chance A LA Mer Ave, Ocean Shores, Washington. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

## **MEMBERS PRESENT**

WENDY HOLMES, OT, CHAIR  
CATHERINE WHITING, OT, VICE CHAIR  
D. JILL PETRIE, COTA  
MARK LEHNER, OT  
JOHN BORAH, PUBLIC MEMBER

## **STAFF PRESENT**

KRIS WAIDELY, PROGRAM MANAGER  
JENNIFER BRESSI, PROGRAM MANAGER  
KIRBY PUTSCHER, ACTING EXECUTIVE DIRECTOR  
GAIL YU, AAG ADVISOR

## **GUESTS PRESENT**

LAURIE JINKINS, HEALTH SYSTEMS QUALITY ASSURANCE ACTING ASSISTANT SECRETARY

## **Friday October 1, 2004 – 9:00 AM – OPEN SESSION**

### **1. CALL TO ORDER**

- 1.1 Approval of Agenda  
Agenda was approved with the addition of item number 8-Washington Occupational Therapy Association (WOTA) Questions to address.
- 1.2 Approval of Meeting Minutes from August 6, 2004.  
Minutes approved with correction of changing “without a doubt” to “beyond reasonable doubt”.

- 2. **2005 MEETING DATES** – The Board scheduled meeting dates for the 2005 calendar year. The Board agreed to meet the following dates: December 9, 2004 conference call if needed, January 28, 2005 at the Department of Health Kent facility, April 1, 2005 in the Vancouver area, June 24, 2005 in the Spokane area, and October 2005 - this date will be determined to coincide with the next WOTA conference.

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3. **POLICIES** – The Board reviewed policies 2.2 Re-Entry / Mentorship and 3.7 Complaint Threshold Determination. The Board approved policy 2.2 as presented and rescinded policy 3.7.
4. **PROGRAM REPORT** – Information provided to the Board by the Program Manager
  - 4.1 Organizational Changes
    - Gail Yu, AAG new AAG introduced herself.
    - Victoria Palmer, program representative is no longer working with the program. She received promotion within HPQA.
    - Section 3 Executive Director interviews are still in process. More interviews are scheduled for October 8, 2004.
  - 4.2 Budget Update
    - No update at this time.
  - 4.3 Planning for Upcoming Meetings
    - Continue rules drafting
    - Determine which Board member will attend the 2005 NBCOT
  - 4.4 Provided for the Board's Information
    - Washington Health Professional Services statistics
    - FARB Annual Forum registration pamphlet

The following items were provided to the Board at the August 6, 2004 meeting but were not presented during the meeting.

    - NBCOT completed survey
    - Board, Commission, Committee Conference invitation- Mark Lehner and John Borah will be attending the conference.
    - NBCOT Letter announcing 3 committee member vacancies
    - AOTA informational memo with revised Enforcement Procedures document
5. **CORRESPONDENCE** – The Board reviewed three recent email correspondences. No suggestions or comments were made.
6. **LAURIE JINKINS, ACTING ASSISTANT SECRETARY** – Ms. Jenkins provided an overview of Health Systems Quality Assurance, which includes Health Professions Quality Assurance (HPQA), Office of EMS and Trauma Systems (EMS), Facilities and Services Licensing (FSL), and Office of Community and Rural Health(CRH). Our disciplinary process has become more of an interest to the media and the legislature over the past year. HPQA has begun the process of reorganizing the Investigations and Legal service units. The consolidation of these services will help with disciplinary timeliness, accountability, and consistent sanctions. The consolidation of units will also provide better flexibility in shifting resources when high profile cases arise. Consistency in issuing of agreed orders and sanctions will also be accomplished. Ms. Jenkins indicated that the Department of Health was not putting any legislation forward in 2005 relating to health practitioners. There will be legislation for hospitals regarding reporting of restricted practitioners. Ms. Jenkins informed the Board that there will be 3 decision packages put forward, budget

enhancements, more FTE's for investigations, legal, and public disclosure units, and a new licensing/disciplinary data base system. Budget enhancements will improve the disciplinary process which has become a major focus at this time. The new data base system will combine all of HSQA as a whole, currently all 4 areas have separate systems. Communications between programs will be enhanced with a new system. Office of Community and Rural Health currently recruits volunteer health practitioners for rural areas and through this program will pay for their mal practice insurance. Ms. Holmes recommended that the program may want to collaborate with schools in accessing rural areas.

7. **WOTA ANNUAL CONFERENCE** – The Board decided not to go through the power point in detail, a copy of the presentation was given to Wendy Holmes, OT who would be presenting this afternoon.
8. **WOTA QUESTIONS** – Wendy Holmes, OT, Board Chair had a conversation with Chris Rice, WOTA President regarding current continuing competency rule, WAC 246-847-065. Main concern was if continuing competency would be required immediately for occupational therapy assistants (OTA's) when if the proposed rule is adopted. The Board discussed and was assured by staff that implementation of continuing competency requirements for OTA's would not be immediate. OTA's will be given at least 2 complete years (one renewal cycle) to obtain the proposed required continuing competency. The Board will mention this at the rules workshop this afternoon. Another question presented was whether the Board could require National Board for Certification in Occupational Therapy (NBCOT) certification. NBCOT has previously indicated that they do not recommend states to require certification due to rules and procedure consistently changing. The last item discussed was that the Board should be more aware of what rules and practice issues other Boards may be discussing.

#### **CLOSED SESSION 11:15 AM**

9. **CONTINUING EDUCATION AUDITS**  
Board members reviewed CE audits for compliance.
10. **DISCIPLINARY CASE REVIEW**  
Case 2004-09-0001OT – Case Closed below threshold prior to investigations  
Case 2004-09-0002OT – Case Closed below threshold prior to investigations  
Case 2004-02-0001OT – Case Closed no violation determined after investigations
11. **REVIEW OF APPLICATIONS**  
Applicant A – Approved  
Applicant G – Need more information  
Applicant H – Approved pending NBCOT exam scores  
Applicant I – Approved pending social security number  
Applicant J – Approved pending social security number

The meeting was adjourned at 12:00 pm until 3:15 pm at the Convention Center.

## **Friday October 1, 2004 3:15 pm – OPEN SESSION**

**Ocean Shores Convention Center  
120 West Chance A LA MER Ave, Ocean Shores, WA.**

### **Rules Workshop - Drafting Session**

**13 individuals from the public attended this session.**

- 12. STATUS UPDATE OF RULES PROCESS** - Jennifer Bressi provided the status of: WAC 246-847-065 Continuing Competency – Proposed final language was approved at the August 6, 2004 meeting. Appropriate department forms were completed and the proposed rule is in the process of preparing for a public rules hearing. It was determined that the word “unit” in item number one should be removed. There was also discussion regarding item number 13 regarding specific type of supervision being provided. Individuals indicated that there can be therapy supervision as well as employment/scheduling supervision. Draft language available upon request.

WAC 246-847-170 Code of Ethics - Proposed final language was approved at the August 6, 2004 meeting. Appropriate department forms were completed and the proposed rule is in the process of preparing for a public rules hearing. Group discussion determined that item number 12 should be reworded due to OTA's do not establish, review or revise client treatment without OT consultation/collaboration. Draft language available upon request.

**13. RULE WRITING**

WAC 246-847-010 Definitions – A change was made and draft language is available upon request.

WAC 246-847-120 Foreign Trained Applicants – No changes were made to the current draft, draft language is available upon request.

WAC 246-847-080 Examinations – A change was made and draft language is available upon request.

WAC 246-847-115 Limited Permits – No changes were made to the current draft. There was a group discussion regarding ability to retake the national exam.

WAC 246-847-190 Aids Education & Training – No changes were made to the current draft, draft language available upon request.

WAC 246-847-210 Unprofessional Conduct - Sexual Misconduct – No changes were made to the current draft, draft language available upon request.

The Board provided 2.5 hours of continuing competency for this rules workshop to the individuals in attendance.

**14. ADJOURNMENT**

There being no further business before the Board, the rules workshop/meeting was adjourned at 5:30 p.m.

Respectfully submitted:

Approved:

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Jennifer Bressi  
Program Manager

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Wendy Holmes, OT, Chair  
Occupational Therapy Practice Board